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January 30, 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Re: ET Docket No. 94-124

Dear Mr. Caton:

The above cited Notice of Proposed Rulemaking (NPRM) invites comments on the Commission's proposal for a reallocation of certain bands in the radio frequency spectrum above 40 GHz. The Commission's proposal would make those bands available for fixed commercial "millimeter wave" licensed and unlicensed services. The Harris Corporation-Farinon Division (Harris) is interested and, pursuant to Section 1.415 of the Commission's Rules, hereby submits the comments below on the aforementioned Notice.

Harris is a Florida corporation with its headquarters located in Melbourne, Florida. Through its Farinon Division, located in San Carlos, California, Harris designs, develops, and manufactures microwave and multiplex systems used by licensees in the terrestrial fixed microwave service. Harris is one of the largest suppliers of microwave equipments in the global market. As a leading manufacturer of equipment used in the terrestrial fixed services, Harris is interested in advancing the state-of-the-art in microwave technology and to maximize the use of frequency bands made available for the microwave services.

Harris notes that the Fixed Point-to-Point Communication Section of the Telecommunications Industry Association (TIA) is filing comments on the above cited Notice on behalf of its membership. In its comments, TIA requests that the Commission:

- Reallocate the 48.5-51.4 GHz and the 55.2-58.2 GHz bands for exclusive use by private and common carrier fixed point-to-point microwave users to match existing or proposed international allocations.

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- License these bands under the proposed part 101, and, consistent with clear statutory requirements, exempt these licenses from auction.
- Revise the proposed allocation of the 47.2-48.2 GHz band by: (i) eliminating the 47.2-47.4 GHz allocation for unlicensed vehicular radar systems and reallocating that 200 MHz to anywhere in the 45.0-47.0 GHz band; and (ii) moving the 800 MHz to be allocated for licensed use from 47.5-48.2 GHz to 47.2-48.0 GHz. These changes are required to provide a 500 MHz guardband between the proposed licensed uses and the proposed private and common carrier fixed point-to-point microwave allocation starting at 48.5 GHz.
- Establish formal procedures to improve spectrum sharing between the government and the private sector, including, at a minimum, reducing the time needed to coordinate frequencies between government and private users from weeks to hours.
- Reallocate LMDS to the 40.5-42.5 GHz band and reallocate the 28 GHz band for fixed point-to-point microwave service.

Harris was a significant participant in the preparation of TIA's response to the Commission's Notice, and was instrumental in underscoring the need to provide for LMDS services at 40 GHz in lieu of 28 GHz. Accordingly, Harris strongly supports all of the TIA comments. Harris adds its own emphasis to the TIA proposal to use the 40.5-42.5 GHz band for LMDS applications as a replacement for the 28 GHz band. The 40.5-42.5 GHz band is already recognized by the ITU (See ITU-R Recommendation 748) and an increasing number of European countries as a band well suited for LMDS (described as MVDS in Europe). The TIA discusses this in more detail on pages 8 and 9 of their comments. Harris helped draft those comments and strongly endorses them through these comments.

In its conclusions TIA urges the Commission to (a) "reallocate the 48.5-51.4 and 55.2-58.2 GHz bands for the fixed point-to-point microwave services" and (b) to reallocate the 40.5-42.5 GHz band for LMDS. This latter allocation is paired with the conclusion that the 28 GHz should be retained for traditional fixed point-to-point use. Harris strongly supports the TIA conclusions.

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Finally, Harris would conclude by applauding the Commission's action in undertaking its proposed reallocations of the bands above 40 GHz. By adopting TIA's proposal to reallocate the 40.5-42.5 GHz band for LMDS, the 28 GHz band can then remain available for traditional fixed services.

Respectfully submitted,

HARRIS CORPORATION-FARINON
DIVISION

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Dated: January 30, 1995